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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,477	07/23/2003	Yueh-Hsiang Hsu	BHT-3111-343	7437

7590 03/23/2005

BRUCE H. TROXELL
SUITE 1404
5205 LEESBURG PIKE
FALLS CHURCH, VA 22041

EXAMINER

CHEN, VIVIAN

ART UNIT	PAPER NUMBER
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1773

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/624,477

Applicant(s)

HSU ET AL.

Examiner

Vivian Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Specification

1. Claims 1-19 are objected to because of the following informalities: the claims contain numerous typographical errors due to odd spacing between letters; the use of awkward language. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11, 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over KOBAYASHI ET AL (US 6,512,562).

KOBAYASHI ET AL discloses a multilayer film comprising a dyed polyvinyl alcohol film sandwiched between two transparent protective films, and methods of making such multilayer films, wherein the protective films are individually selected from polyester (e.g., polyethylene terephthalate) and/or cellulose triacetate, wherein an additional layer of polyvinyl alcohol is optionally present as an adhesive between the dyed layer and a protective film layer. (line 15-25, col. 1; line 5-17, col. 5; line 65, col. 5 to line 25, col. 6; line 25-38, col. 23; line 55-61, col. 30)

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply protective layers to a dyed film layer in order to provide a durable polarizing or optical filter. One of ordinary skill in the art would have selected the colorant properties of the dye(s) used in the polarizing layer depending on the specific display or optical properties required for given applications.

4. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over KOBAYASHI ET AL (US 6,512,562) as applied to claims 1, 6 above, and further in view of OGINO ET AL (US 6,235,064).

OGINO ET AL discloses that it is well known in the art to incorporate dye into polyvinyl alcohol films by dissolving a dye compound in an aqueous solution to form a dye bath, dipping a polyvinyl film into said dye bath while applying tension to said film. (line 47, col. 15 to line 55, col. 16)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use conventional film-dyeing methods to apply a colorant to the polyvinyl alcohol films of KOBAYASHI ET AL.

5. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over OGINO ET AL (US 6,235,064), in view of KOBAYASHI ET AL (US 6,512,562).

OGINO ET AL discloses a multilayer film comprising a dyed polyvinyl alcohol film sandwiched between two transparent protective films (e.g., polyester and/or cellulose acetate) and methods of making said multilayer films. The dyed film layer is formed by dissolving a dye

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compound in an aqueous solution to form a dye bath, dipping a polyvinyl film into said dye bath while applying tension to said film. (line 47, col. 15 to line 55, col. 16)

KOBAYASHI ET AL discloses that it is well known in the art to apply protective films individually selected from polyester (e.g., polyethylene terephthalate) and/or cellulose triacetate to both sides of a dyed polyvinyl alcohol layer, wherein an additional layer of polyvinyl alcohol is optionally present as an adhesive between the dyed layer and a protective film layer, in order to form durable optical articles. (line 15-25, col. 1; line 5-17, col. 5; line 65, col. 5 to line 25, col. 6; line 25-38, col. 23; line 55-61, col. 30)

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply protective layers to a dyed film layer in order to provide a durable polarizing or optical filter. One of ordinary skill in the art would have selected the colorant properties of the dye(s) used in the polarizing layer depending on the specific display or optical properties required for given applications.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivian Chen whose telephone number is (571) 272-1506. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 6 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney, can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

The General Information telephone number for Technology Center 1700 is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 21, 2005



Vivian Chen
Primary Examiner
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